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Promotion and protection of human rights

Letter dated 6 October 2017 from the Permanent Representative of Uzbekistan to the United Nations addressed to the Secretary-General

I have the honour to convey information on the measures taken by the Government of Uzbekistan to ensure the labour rights of citizens in accordance with national legislation and international labour standards (see annex).

I would appreciate it if you could circulate the present letter and its annex as a document of the General Assembly, under agenda item 72.

(*Signed*) Bakhtiyor **Ibragimov**

* Reissued for technical reasons on 20 October 2017.

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Annex to the letter dated 6 October 2017 from the Permanent Representative of Uzbekistan to the United Nations addressed to the Secretary-General

[Original: Russian]

Measures taken by the Government of Uzbekistan to ensure the guaranteed labour rights of citizens in accordance with national legislation and international labour standards

Over the years of independence in Uzbekistan, a solid legal foundation has been established which has created the conditions to ensure in practice the universally recognized right of all persons to work, free choice of occupation and fair working conditions. These fundamental social rights, enshrined in international instruments, have been embodied in the Constitution of the Republic of Uzbekistan and in national legislation, which clearly set forth the prohibition of the use of child and forced labour.

Uzbekistan, as a member of the International Labour Organization (ILO), has ratified 14 ILO Conventions, including on the inadmissibility of child and forced labour, and their provisions have been consistently put into effect in national legislation.

Uzbekistan has established close and productive cooperation with ILO in this sphere. In particular, the Decent Work Country Programme for the Republic of Uzbekistan for 2017-2020, which envisages a range of measures to protect citizens' rights in the area of labour relations, is currently being implemented. Through constructive cooperation with ILO, the country's international image has been significantly improved and tangible successes have been achieved.

A coordinating council on child and forced labour is operating effectively in Uzbekistan. Alongside State bodies, civil and community human rights institutions are also carrying out activities to monitor the situation in this regard.

The measures taken have made it possible to achieve significant results. In particular, child and forced labour have been completely eradicated in Uzbekistan. Since 2014, Uzbekistan has not been included in the list of States which have serious shortcomings in complying with ILO conventions.

In the Strategy of action in five priority areas of development of the Republic of Uzbekistan, adopted this year, one of the priorities has been identified as ensuring guarantees of the reliable protection of citizens' rights and freedoms. The guarantees of citizens' labour rights have been further strengthened by another vital initiative in 2017, namely the Year of dialogue with the people and of promoting human interests.

Uzbekistan, resolutely confirming its commitment to its international obligations and to the observance of human rights and freedoms and having instituted strict monitoring of the further protection of citizens' guaranteed labour rights in line with international standards, is open to constructive international cooperation in this sphere.

In order to enhance the effectiveness of all work to counter the risks of forced labour, particular attention is being paid at the current stage to ensuring that the measures taken in the sphere of labour relations are comprehensive and systematic and that effective use is made of the potential for social partnership between State bodies and public organizations.

In the area of preventing risks of forced labour, particularly in agriculture, consistent efforts are being made to resolve a number of urgent issues in respect of the modernization of agriculture, enhancement of the level of mechanization of the agrarian sector and introduction of innovative technologies in this sphere.

In accordance with a recent decree of the upper chamber of Uzbekistan's legislative body — the Senate of the *Oliy Majlis* — a parliamentary commission on ensuring citizens' guaranteed labour rights is currently being established. In order to ensure transparency in the commission's work and provide for systematic parliamentary monitoring, a procedure is being introduced whereby the commission will regularly submit for consideration by the plenary session of the Senate of the *Oliy Majlis* information on the findings of review of the work done by the directors of State bodies and other organizations at the central level and locally in implementing the legislation and international treaties of the Republic of Uzbekistan associated with ensuring citizens' guaranteed labour rights, including the prevention and inadmissibility of the use of forced labour. In turn, corresponding territorial commissions will regularly submit relevant information for consideration by the *Joqarg'i Ken'es* of the Republic of Karakalpakstan and the regional and Tashkent city *kengashi* of people's deputies.

In addition, under the Senate decree, a set of measures was approved to ensure citizens' guaranteed labour rights, in accordance with the legislation of the Republic of Uzbekistan and international labour standards, envisaging a number of steps for enhancement of legislation, monitoring of the implementation of ratified ILO conventions, cooperation with ILO and other international organizations, capacity-building of State bodies and civil society organizations, and information and outreach work in this sphere.

In accordance with the decree, the Government will adopt comprehensive measures to further incorporate market mechanisms and scientific and technological advances in the agricultural sphere, increase the level of mechanization of agriculture, introduce new varieties of cotton plants suited to the broad use of mechanized harvesting and ensuring maximum impact of the mechanization of agricultural production, and also develop various methods of economic stimulus for invited seasonal workers and formulate proposals to regulate labour relations in this and other spheres.

In the decree, special attention is paid to the participation of non-State non-commercial organizations and other civil society institutions in carrying out public monitoring of the strict implementation of labour legislation at the local level, conducting a wide-ranging information and outreach campaign on these issues among the public, and other activities.

In this regard, the parliamentary commission on managing the resources of the public fund to support non-State non-commercial organizations and other civil society institutions attached to the *Oliy Majlis* of the Republic of Uzbekistan has recommended consideration of the question of providing subsidies, grants and public commissions to non-State non-commercial organizations in order to carry out, within the framework of social partnership, targeted programmes to create decent working conditions and strengthen the guarantees of citizens' labour rights.

All in all, the decree adopted by the Senate will serve to strengthen the effectiveness of parliamentary and public monitoring of the implementation by State and managerial bodies of the norms of the legislation and international treaties of the Republic of Uzbekistan on the protection of citizens' labour rights and the inadmissibility of any form of forced labour.

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Promotion and protection of human rights: human rights situations and reports of special rapporteurs and representatives

Security Council
Seventy-second year

Letter dated 9 October 2017 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General

I have the honour to enclose herewith the statement of the Ministry of Foreign Affairs of Ukraine of 3 October 2017, regarding the intention of the Russian Federation to conscript to military service on the temporarily occupied territory of the Autonomous Republic of Crimea and the city of Sevastopol (see annex).

I would appreciate your kind assistance in having the present letter and its annex distributed as a document of the General Assembly, under agenda item 72 (c), and of the Security Council.

(*Signed*) Volodymyr **Yelchenko**
Ambassador
Permanent Representative

17-17968 (E) 181017

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Annex to the letter dated 9 October 2017 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General

Statement of the Ministry of Foreign Affairs of Ukraine regarding the intention of the Russian Federation to conscript to military service on the temporarily occupied territory of the Autonomous Republic of Crimea and the city of Sevastopol

The Ministry of Foreign Affairs of Ukraine expresses its strong protest to the intention of the Russian Federation to hold a conscription to military service on the temporarily occupied territory of the Autonomous Republic of Crimea and the city of Sevastopol (Ukraine).

We reiterate, that the UN General Assembly Resolution A/RES/71/205 of December 19, 2016, "Situation of human rights in the Autonomous Republic of Crimea and the city of Sevastopol (Ukraine)" confirmed the fact of illegal occupation of the Autonomous Republic of Crimea and the city of Sevastopol by the Russian Federation and urged the Russian Federation to fulfill its obligations under the international humanitarian law, international human rights mechanisms, and other legal instruments to which it is a party.

We bring attention to the fact that under the international humanitarian law the occupying state is prohibited to compel protected persons to serve in its armed or auxiliary forces, as well as it is prohibited to exert pressure and use propaganda campaign to enlist voluntarily.

The thematic report of the Office of the UN High Commissioner for Human Rights "Situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol (Ukraine)" published on September 25, 2017, in pursuance of UN General Assembly Resolution A/RES/71/205, states the facts of persecutions by the occupying Russian authorities of Crimea residents for their refusal to serve in the Russian army. We have to state another brutal violation by the Russian Federation of its international obligations.

The Ministry of Foreign Affairs of Ukraine demands the Russian Federation to cancel the conscription for military service on the temporarily occupied territory of the Autonomous Republic of Crimea and the city of Sevastopol (Ukraine), to ensure its strict observance of international obligations as occupying state, and to fully implement UN General Assembly resolutions A/RES/68/262 of March 27, 2014, "Territorial integrity of Ukraine" and A/RES/71/205 of December 19, 2016, "Situation of human rights in the Autonomous Republic of Crimea and the city of Sevastopol (Ukraine)".

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Promotion and protection of human rights: human rights situations and reports of special rapporteurs and representatives

Letter dated 10 October 2017 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the comments and observations of the Islamic Republic of Iran on the report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran (A/72/322 and Corr.1) (see annex).

I would appreciate it if the present letter and its annex could be circulated as a document of the General Assembly, under agenda item 72 (c).

(*Signed*) Gholamali **Khoshroo**
Ambassador
Permanent Representative

17-18063 (E) 191017

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Annex to the letter dated 10 October 2017 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General

Comments and observations of the Islamic Republic of Iran on the report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran

1. The most recent report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran (A/72/322 and Corr.1) yet again attests to the application of selectivity, double standards and political manoeuvring in the field of human rights. It vividly reveals the fact that the United Nations human rights machinery continues to be manipulated and politicized by certain countries for their ill-intended and narrowly defined political interests. The initial mandate of the Special Rapporteur and the ensuing reports further erode the legitimacy, credibility and integrity of the United Nations human rights mechanisms, thereby making them even less relevant. Except for mere political considerations, there are no plausible grounds for producing four practically identical reports each year on the situation of human rights in the Islamic Republic of Iran. Furthermore, duplication neither substantiates nor gives credibility to the non-objective and prejudiced allegations contained therein.

2. The legitimacy and security of the Islamic Republic of Iran are driven by the voice and votes of its people. This is validated by the democratic and dynamic environment that exists within Iranian society. During the past four decades, the people's voice and choice, as expressed through ballots, has consistently guided the country's direction in both internal and foreign affairs. Essentially, ballot boxes and the people's will, being central to Iran's vibrant social and political life, continue to govern its peaceful and democratic processes and raise the level of transparency and accountability within the country.

3. The people of Iran once again freely and peacefully chose their destiny in May 2017, in the twelfth democratically held presidential elections. The landslide re-election of President Rouhani, who campaigned on a platform that involved a strong human rights component, further reinforced the genuine will of the Government to promote and protect human rights at home while extending its hand for constructive dialogue abroad.

4. Yet against this backdrop, Iran annually becomes the target of a politicized charade. Abusing the issue of human rights to impose pressure on a nation that has chosen independence over yielding to interference is reprehensible. This confrontational approach exploits human rights for political purposes and has proved to be detrimental to human rights, as well as to the prospects of furthering dialogue and understanding. Few would accept this approach as an attempt to protect and promote human rights.

5. Regrettably, the most recent report of the Special Rapporteur only echoes the same counterproductive and futile practice developed on the basis of an ill-intended and politically motivated mandate, permeated with prejudiced and subjective assumptions that have further worn its credibility. Moreover, the basic principles of impartiality and professionalism that are the main pillars of the Code of Conduct for Special Procedures Mandate-holders of the Human Rights Council, contained in Human Rights Council resolution 5/2, are disregarded to a large extent. Unsurprisingly, a prejudiced mandate has brought about a biased outcome. Indeed, the entirety of the report, which presents a distorted and erroneous image from the real situation on the ground, is objectionable.

6. While the report recognizes the attachment of Iranians to democracy and human rights, it avoids acknowledging the fact that the political system as a whole is behind this native and progressive process. The report misses the point that the open, peaceful and yet hotly contested presidential and municipal council elections held in May were made possible with the unequivocal backing of the entire political establishment. The Government truthfully views the protection of and respect for all human rights of its citizens as indispensable to ensuring its national security, prosperity and longevity.

7. Taking a selective approach in the report on the human rights of Iranians is thought-provoking. It is expected that reports of this nature are all-inclusive and address all human rights of Iranians without distinction. However, the author has opted to be as selective as the mandate itself. For instance, the impact of the bigoted Muslim ban imposed by the US administration on the basic human rights of affected Iranian citizens is not even touched upon. On a more serious note, the imposition of illegal and unilateral sanctions against Iranians under dubious pretexts by the United States were not considered important enough to be even mentioned in the report. Who can deny the substantive impact of such indiscriminate and inhumane sanctions on the basic economic and social rights, as well as the right to development, of ordinary Iranians? One may only assume that the authors of the report have little interest in the well-being and human rights of the general public in Iran.

8. A considerable portion of the report is assigned to defending the rights of those who have committed heinous crimes with no mercy and violated the human rights of innocent Iranian citizens. Victims of the crimes committed by murderers, armed drug dealers, terrorists, organized gang leaders and spies have, therefore, the right to question the veracity and credibility of the report. Its persistence in disparaging the Government's decisiveness and dedication in protecting people's safety and security is staggering.

9. The report simply disregards the 17,000 Iranians who have fallen victim to the terrorist activities of a recognized terror cult with a dark history of intimidation and violence. Members of the said notorious organization cold-bloodedly bombed public buses, crowded streets and packed mosques during the 1980s. They even betrayed their own compatriots by bonding with Saddam Hussein during his imposed war against Iran. It is disappointing that the author of the report completely ignores the plight and grievances of the families of the victims who were silenced forever as a result of their terror and bombs. In fact, the mandate does not qualify the authors to imbue the report with arbitrary judgments or preferences.

10. The appreciation for and recognition of ethnic, linguistic or religious minorities is an outstanding characteristic of Iran's past and present. For thousands of years, Iran has been a safe haven for minorities. Iran is a country formed by ethnic and religious minorities. It is safe to say that every Iranian belongs to a minority group, and we cherish this fact. However, the fabrication of non-existent situations in the report, implying division and intolerance in society, is absurd. Of course, everyone, regardless of religion or ethnicity, is expected to be equal before the law. Belonging to a minority cannot and should not afford impunity to any violator. Moreover, activities that run counter to the objectives and principles of the Charter of the United Nations and the principles of international law, including engagement in acts of terrorism or secessionist activities, cannot be concealed behind the pretext of human right activism. No one is above the law, and nothing offers impunity to the individuals who violate it.

11. Followers of all faiths enjoy equal freedom to worship and are protected in Iran. Should leaders in a given case order their followers to adhere to rules that

make them akin to agents of secret organizations rather than a benign faith, the Government cannot be expected to remain indifferent to the harm that activities of such organizations that are headquartered outside Iran (including in occupied Palestine) may cause. After all, the world has widely experienced, time and again, the terrible consequences of faiths or religions being turned into or exploited as clandestine entities.

12. While hundreds of thousands of Iranians with dual nationality regularly travel to their home country, the report intentionally ignores the fact that a few Governments, in particular that of the United States, continue to systematically exploit the vulnerabilities of their citizens with Iranian backgrounds. Instead of making misplaced judgments, it was expected that the report would call for an end to the abuse of these individuals by Governments that are engaging them in suspicious activities against Iran's national security. It is regrettable that the author chose once more to target the Iranian Government for its attempt to ensure the security of its citizens against external interference.

13. In addressing Iran's exceptional situation on the front line of countering the world's illicit drug trafficking, the report seems to side with the drug traffickers, who are typically armed and linked to transnational organized crime and terrorist networks. The report is not at all concerned with the members of the young generation whose lives are being utterly destroyed by the evils of addiction or the family members of thousands of police officers who were brutally murdered or maimed by armed drug traffickers. While it should be noted that drug users are not criminalized in Iran and may receive medical support and treatment, capital punishment for the trafficking of large quantities of drugs that regularly involves live arms is sanctioned by law. Nonetheless, the legislature has recently reviewed and evaluated the deterrence value of the national drug policy and accordingly revised the law so that the punishment would be applicable only to high-calibre criminals.

14. Specific cases have been raised in the report and have been responded to in detail separately. However, the gravity of such cases is not so much greater than that of similar ones in most countries as to warrant country-specific reports or resolutions. No country can claim to be perfect; neither does Iran. The Government has shown its eagerness to address all possible excesses that may occur and that are regrettable on their own. There is also always room to improve laws to the extent that they do not contradict the social norms acceptable to citizens. Obviously, no country could or should be expected to abandon its way of life only to appease a few who wish to impose their own. In fact, the cornerstones of our laws and regulations are shared by almost all countries in our region and by other Muslim countries as well. Therefore, their foundation and application are not exclusive to a single country or even a single region.

15. The Islamic Republic of Iran remains committed to cooperating with the universal periodic review mechanism and with all bodies of treaties to which it is a party, as well as with the Office of the United Nations High Commissioner for Human Rights. Even though Iran continues to strongly denounce the appointment of the country-specific Special Rapporteur and views it as a harmful measure against constructive dialogue and cooperation, it has extended an invitation to three thematic Special Rapporteurs, which is due to be finalized in 2017.

16. In the joint effort of Iranians towards further promoting and respecting human rights, only one authoritative stakeholder exists: the Iranians themselves. There is no room for external players, especially those who have no genuine intention of contributing to the noble cause of human rights. Countries that have flatly failed to uphold basic human rights in their own societies and abroad, whose communities

are awash with racism, xenophobia, Islamophobia and torture, have no moral authority to lecture a country that earnestly believes in the imperative of human rights. Manipulative approaches can only distort and even defeat genuine home-grown processes. Nevertheless, to enhance the credibility of the human rights discourse, we welcome respectful dialogue without recrimination and seek meaningful engagement with serious partners. Obviously, this report does not serve such a purpose.